

# Massachusetts Ocean Management Planning

## Preliminary<sup>1</sup> DRAFT Summary of Stakeholder Interviews

### I. INTRODUCTION

In the fall of 2008, the MA Executive Office of Energy and Environmental Affairs (EEA) undertook an outreach process of individual meetings with representatives of stakeholder groups with various interests in ocean management. The purpose of these interviews was to learn from potentially affected groups about information they could contribute to the planning process, and to discuss their concerns, hopes, and priority issues for the planning process and the MA Ocean Management Plan.

Interviewees were selected with the goal of reflecting a full range of views involved in use, protection, and management of the planning area specified in the Oceans Act. The interviewees were distributed among the following interest groups: Government entities (local, regional, state, federal, and tribal), users of the ocean resources (including fishing, tourism, energy, navigation, recreation, research, and marine trades) and non-governmental organizations (including trade associations, conservation groups, community advocacy groups, consultants, and watershed protection organizations). Over fifty interviews were conducted; the list of interviewees is included in Appendix 1 (TBD).

This report summarizes the findings of the stakeholder interviews. It was prepared by the Planning Frameworks team led by the University of Massachusetts Boston with funding support from the Massachusetts Ocean Partnership. A representative of the University of Massachusetts team accompanied EEA ocean planners to most meetings with stakeholders. The report summarizes findings from the interviews in the following categories: ocean issues of concern, planning issues of concern, suggestions for the planning process (including stakeholder involvement), potential benefits of an ocean plan, and data source suggestions.

In general, stakeholder interviewees were very appreciative of the outreach to them by EEA. Many noted their willingness to work with EEA to produce a useful MA Ocean Management Plan, and to help sort through important issues that will arise during the planning process. Among the topics most frequently raised as requiring coordination and exploration were: defining what “appropriate scale” means for alternative energy projects in the planning area, creating an information baseline incorporating data from multiple sources, and reducing jurisdictional conflicts between local, regional, state, and federal governmental entities.

### II. Ocean issues of Concern to Stakeholders

The following is the list of ocean issues of concern that were raised by stakeholder interviewees. They are listed in order of frequency, from the most frequently mentioned to the least.

- Alternative energy project siting (wind projects were most frequently cited, and tidal energy projects were also mentioned, particularly in the areas around Martha’s Vineyard and Nantucket)

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<sup>1</sup> Interviews with stakeholder groups potentially affected by the MA ocean planning process are ongoing and will number over 50 when completed in mid-December. This preliminary report provides a summary of the first twenty-five interviews as guidance for ongoing discussions with the Ocean Advisory Commission and for stakeholder process planning.

- Defining appropriate scale is important; suggestion that it be defined contextually, depending on the project location
- Protection of unique, sensitive, or threatened species and their habitats
  - Identify areas for habitat protection, creation, restoration
  - Whales were mentioned most frequently; potential threats included impacts from shipping noise on reproduction, and ship strike impacts on right whales
- Protection of local fishing economies and their resources
  - Addressing declining fish stocks and mitigation for loss of income were frequently mentioned
- Increasing and preserving tourism and recreational uses
  - Support and preserve coastal communities through protections for fishing, tourism, boating, whale watches, and water quality
- Navigation planning
  - Ferry routes
  - Shipping lanes
  - Oil spill prevention
  - Dredging
- Oil and gas activities
  - LNG pipeline and transportation, oil transport issues, and concern about potential removal of the ban on offshore oil drilling
- Jurisdictional coordination between local, regional, state, and federal governmental entities
  - Hopes for a streamlined permitting process that could be created by improved data availability and clarity of allowable uses for specific areas
  - Concern about adding another layer to the existing permitting processes
  - Need coordination with entities that regulate terrestrial activities that impact the ocean
  - Bring “donut hole” in Nantucket Sound into state jurisdiction and include in ocean planning area
- Water quality considerations
  - Include analysis of impacts in coastal areas from actions in the planning area
  - MWRA discharge area (outfall permit requirements, monitoring)
  - Disposal of dredged sediment
  - Ocean debris management
  - Vessel discharge permits in Nantucket Sound
- Beach nourishment sand requirements and source areas
- Oceans as a public trust
  - Public benefit should be a criteria for allowing development projects
  - Need mitigation or compensation to address conflicts between private interests and public benefit
  - Mitigation should be directed to affected entities
  - Viewshed preservation is a public interest
  - Offshore energy facilities should meet needs of communities affected by the development
- Aquaculture siting
- Adaptation to sea-level rise and other climate change impacts
- Utility cable and transmission line siting
- Research uses and exclusions that conflict with other uses
- Homeland security considerations, e.g. for harbor management
- Address potential development on islands in plan area, especially for wind energy
- Historical and cultural interests, e.g. eastern horizon of cultural importance to tribal interests

### III. Planning Process Issues

The following is the list of issues regarding the ocean planning process that were raised by stakeholder interviewees. They are listed in order of frequency, from the most frequent to the least.

- Plan must be based on the science that is reliable enough to allow for solid explanations about the activities and locations that are allowed or not allowed.
- Ecosystem-based management principles should be used to designate areas for uses.
- Adaptive management that allows integration of changing circumstances or new information is essential. The plan needs to have the ability to address emerging ocean issues as they arise.
- Long-term monitoring of the plan, including development of indicators of progress and capacity for conducting monitoring, is required for a successful ocean plan.
- Access to quality information, synthesized and available to the public and user groups is needed for planning and for implementation.
- Mitigation requirements should be directly related to the affected uses.
- Cumulative impacts assessment and monitoring should be addressed by the plan
- Data quality issues and data gaps need to be identified in the plan.
- If two areas are equally suitable, select an area for development that least conflicts with a competing public use.
- The timetable for plan completion may be too tight to result in good decisions about uses, and EEA resources may not be sufficient for the magnitude of the planning task.
- Use a precautionary approach in the face of uncertainties.

### IV. Planning and Stakeholder Involvement Suggestions

Interviewees also made suggestions for the ocean planning process. Specific planning suggestions include:

- A. Create sub-plans for each MA Ocean Sanctuary area or region.
- B. Establish criteria for appropriate offshore wind projects, and specify information needed to demonstrate criteria are met.
- C. Build consensus on areas to preserve, then site energy facilities to avoid those areas.
- D. Develop a specific approach for resolving future use conflicts.
- E. Link the Ocean Plan to implementation of the MA Global Warming Solutions Act and Green Communities Act.
- F. Steer more to the general in the initial plan; be as concise as can be and present it in language the general public can understand.
- G. Plan could be area-based informed by ecosystem knowledge.
- H. Create a plan that will truly work for all interests

Almost all of the stakeholders expressed a desire for continued stakeholder involvement as the plan evolves, and many suggested that stakeholder discussions take place before the plan is “set in stone.” Specific suggestions for stakeholder involvement include:

- Continue stakeholder engagement and outreach

- Develop a suite of mechanisms to reach out to various interest groups. For example, approach recreational fisherman on a regional basis, perhaps using tackle shops as vehicles to meet with them and develop a specific outreach strategy and team to liaison with them. Commercial fisherman will benefit from similar tailored outreach, perhaps in regions (North Shore, South Shore, Cape Cod, Buzzards Bay, and Nantucket Sound)
- Keep all stakeholders involved as planning moves forward and through the implementation years:
  - i. Keep web site robust and user friendly; use it to post Fact Sheets, updates, meeting schedules, etc.
  - ii. Develop and disseminate fact sheets, summaries of discussions, and other written documents that allow stakeholders to track progress
  - iii. Develop a listserv and use it to alert stakeholders to upcoming events and new topics on web site
  - iv. Provide occasional opportunities for comment on draft planning principles and documents
  - v. Convene discussions and meetings that allow consideration of preliminary thinking, plan principles and direction, and draft documents
  - vi. Conduct regional meetings as the plan evolves, and provide sufficient notice for attendees to plan for and prepare for the meetings
  - vii. Be open to continued personal communication with individual stakeholder and government groups

## V. Data Sources Identified in Interviews

Many stakeholder groups and public entities contributed data to the EEA data gathering effort, through both the internal Work Group process and the stakeholder interview discussions. During the interviews, many stakeholder representatives provided suggestions about data that can be made available for incorporation into the planning process. The following list illustrates the range of suggestions, and is not intended to be a comprehensive list.

- Economic Analysis of Mobile Gear Fishing on Horseshoe Shoal, accessible on the web site of the MA Fisherman's Partnership
- Analysis of acoustic data for boat trips in and out of Boston Harbor, gathered by the Stellwagen Bank Marine Sanctuary
- Anecdotal information about current groundfishing areas provided by groundfishers
- Cape Cod National Seashore data base of research permits for use of their waters
- Alliance to Protect Nantucket Sound water quality monitoring data for Nantucket Sound (collected over past three years)
- Cape Cod Commission GIS maps for Barnstable County
- MWRA outfall monitoring data
- Environmental Sensitivity maps prepared by MA DEP to be used in oil spill and hazardous materials spill responses
- Ferry route maps available from the US Coast Guard

In addition, some stakeholders made suggestions for planning frameworks that they thought were useful. These suggestions included the management plan for the Hawaii National Wildlife Refuge, the Habitat Use Compatibility Framework used by The Nature Conservancy, and management plans developed by the MA Dept. of Conservation and Recreation that identify core uses for specific areas and require buffer zones.

## **VI. Benefits of an Ocean Management Plan**

All interviewees were asked about potential benefits that could arise from having a MA Ocean Plan, and only three or four did not identify a potential benefit. The primary benefits noted can be summarized as regulatory coordination, predictability, ecosystem considerations, integration of uses, resolution of conflicts among uses, and stakeholder involvement.

The following list outlines the benefits mentioned in the interviews.

- A good plan should enhance environmental management coordination.
- Establishing principles for resource protection, economic development and renewable energy is useful.
- Integrating management in state waters with management in federal waters would be a benefit.
- The plan would allow rational explanations to the public about decisions concerning encouraged or discouraged uses.
- The plan could provide support for new sustainable economic development, including aquaculture and water based transportation.
- The plan could clarify needs for mitigation.
- The plan will allow the Commonwealth to avoid a case-by-case fragmented approach to project proposals in state waters.
- The plan will provide the state with an opportunity to add alternative technologies to the energy portfolio and thereby reduce threats associated with the use of fossil fuels.
- The plan would assist regional planning agencies, especially on the Cape and Islands, to plan for and manage their ocean resources.
- The plan can minimize conflicts among commercial ocean traffic.
- The plan may help address current ambiguities in the MA Ocean Sanctuary regulatory framework.
- The plan can provide clarity of what's allowable and what's excluded, which allows commercial interests to plan accordingly.
- Stakeholder involvement in the planning is beneficial, and it may help the state make progress toward resolving use conflicts.
- The ocean planning process puts a marker on the ocean as special, and highlights ocean management issues and the importance of addressing them systematically.
- The data coordination and compilation alone is beneficial; new knowledge will be developed and added to the knowledge base.
- Involvement of the legislature in understanding and acting to address the importance of ocean issues to the state is beneficial.
- Public education about the plan will increase public awareness of ocean management issues.
- Providing for a balance of development and conservation with a mix of uses is an important outcome.
- Ecosystem based management can help anticipate and mitigate impacts.
- The plan can increase the state's ability to protect habitats, offer predictability for project applicants, and provide targets for monitoring.
- Plan can reduce regulatory risk on industry side of projects.
- Plan can protect the ocean resource and support our tourism economy.
- MA is setting an important precedent for how to do area-based management of the oceans.